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**Sent:** Fri 6/21/2013 3:14:49 PM  
**Subject:** EPA Mid-Atlantic Region Headlines for Friday, June 21, 2013

# **EPA Region III**

**Office of Public Affairs**

## **Mid-Atlantic Headlines**

**Friday, June 21, 2013**

### **\*\*\* DAILY HOT LIST \*\*\***

#### **Environmental Protection Agency scraps plan for scientific study of Wyo. fracking**

ASSOCIATED PRESS Water pollution review given over to state officials. CHEYENNE, Wyo. -- The U.S. Environmental Protection Agency announced Thursday that it is dropping its longstanding plan to have independent scientists review its finding that hydraulic fracturing may be linked to groundwater pollution in central Wyoming. The EPA is standing by its findings, but state officials will lead further investigation into the pollution in the Pavillion area. The area has been a focus of the debate over whether fracking can pollute groundwater ever since the EPA's initial report came out in late 2011. "We stand behind our work and the data, but EPA recognizes the state's commitment to further investigation," agency spokesman Tom Reynolds said in Washington, D.C. The EPA will let state officials carry on the investigation with the federal agency's support, he said. Wyoming officials have been skeptical about the theory that fracking played a role in the pollution at Pavillion, but Mr. Reynolds expressed confidence that the state could lead the work from here. He described the shift as the best way to ensure that Pavillion-area residents have a clean source of drinking water. Even so, industry officials who have been doubtful about the EPA findings all along praised the change as confirmation of their view that the science wasn't sound. "EPA has to do a better job, because another fatally flawed water study could have a big impact on how the nation develops its massive energy resources," Erik Milito, director of upstream and industry operations for the American Petroleum Institute, said in a release. Richard Garrett, energy and legislative advocate with the Wyoming Outdoor Council in Lander, said he believes that Thursday's announcement shows that the EPA is finding it more difficult than initially expected to come to grips with fracking's full environmental effect. He noted that the EPA is pushing back other work aimed at gauging how energy production may pollute groundwater. "It's not surprising to me that they're kind of taking a secondary role in rural Pavillion," he said. "It looks to me like it might be a resource issue. That goes to the federal budget, I suppose, and EPA administration."

## **'Gasland' director says sequel explosive**

PITTSBURGH POST-GAZETTE Movie sequels gotta have bigger and better explosions than the originals, and Josh Fox, the director of "Gasland Part II," said his new film easily tops that bar. The "flaming faucet" moment in his sequel to 2010 Academy Award nominee "Gasland," which took a critical look at shale gas development and hydraulic fracturing, or "fracking," features a garden hose that blazes like a flamethrower, plus other explosive scenes. "For those audiences strictly coming for the pyrotechnics, well, they won't be disappointed," Mr. Fox said prior to the free screening of the film Thursday evening at Soldiers & Sailors Memorial Hall in Oakland. Pittsburgh is one of 20 U.S. cities to get a preview peek at Mr. Fox's new documentary prior to its broadcast debut on HBO at 9 p.m. July 8. "Gasland" explored the rapidly expanding shale gas development across the U.S., showing health impacts on families near well sites, hazardous air pollutants coming off condensate storage tanks at well sites, and tap water so contaminated with methane it burst into flames with the flick of a BIC. Three years later, everything is bigger. The shale gas industry has drilled more than 6,000 wells in Pennsylvania, and public outrage has expanded right along with it, according to Mr. Fox. "We're winning the public, winning the democracy, with our message. The industry is winning the government and the media because they can buy those things," he said. "But they can't buy the need for healthy communities. That's why a recent poll showed an overwhelming number of people in this state favor a moratorium on drilling." He was referring to a May poll by the University of Michigan and Muhlenberg College that found that while 49 percent of Pennsylvanians approve of shale gas drilling almost two-thirds support a drilling moratorium in order to study the risks. Mr. Fox said "Gasland Part II" revisits some of those same fractured communities -- including Dimock in Susquehanna County -- and asks why powerful oil and gas interests are allowed to pollute the environment while also "contaminating our democracy."

## **EPA agrees to audit Bay watershed states**

KENT COUNTY NEWS (Md.) CHESTERTOWN -- Instead of new federal rules on livestock farms, the Environmental Protection Agency has agreed to audit Chesapeake Bay watershed states for effective actions to curb nutrient pollution. The agreement worked out by the Chesapeake Bay Foundation and the EPA was announced June 5. It amends a settlement agreement from 2010. According to CBF Senior Water Quality Scientist Beth McGee, it replaces proposed new regulations with audits. It moves the decision on new regulations off another five years. "The agreement is geared toward ensuring compliance with existing laws," she said last week, and to identify "the gaps between what a state has said it will do versus what is being done." The original settlement called for new EPA regulations on large animal-raising operations, but that is a drawn-out process which wouldn't necessarily shed light on how well the six Chesapeake Bay watershed states are doing in cutting back on agricultural pollution. Pat Langenfelder, a Kent County farmer and president of the Maryland Farm Bureau, said Monday, "Our concern is the fact that the EPA settles, and makes an agreement with the Chesapeake Bay Foundation, but no one else was allowed to participate. Those impacted the most are left out." But Maryland's farmers are ahead of schedule so far, she said, where pollution reduction is concerned. During the first two-year segment of the statewide Watershed Improvement Plan -- WIP -- Maryland's agriculture interests got to 130 percent of goal. The watershed states affected

by the lawsuit are Maryland, Virginia, Delaware, West Virginia, Pennsylvania and New York. Under the modified agreement the EPA will look to see whether watershed farmers involved with raising livestock are following their nutrient management plans, and whether states are succeeding or failing with cleanup programs aimed at agricultural nutrient pollution. The difficulty with new federal regulations, according to a CBF statement, is that a "new CAFO rule would be challenged in court for years. And it would not address a key question, whether a farm was discharging pollution."

### **Allentown council tables clean air initiative, effectively sending it to voters**

ALLENTOWN MORNING CALL Vowing to send a message by their inaction, members of Allentown City Council voted 5-1 Wednesday night to table a proposed ballot initiative that would create stricter environmental controls for a proposed waste-to-energy plant. That effectively puts the initiative before the voters in November. Only hours before the vote, council received several new legal opinions on the proposal. One was a letter from the state Department of Environmental Protection stating that, if enacted, the proposed law might be preempted by state regulations. That left several members feeling "uncomfortable" about voting. Councilman Peter Schweyer suggested that tabling the ordinance would signal to the voters that council did not have the complete picture needed to make an informed decision. According to the city charter, a ballot initiative must first be placed on council's agenda for consideration. If council approves the proposal, it becomes law. But if council votes no or declines to vote, the initiative moves on to the ballot for the voters to decide in November. Based on the date a petition signed by more than 2,000 residents was submitted, the deadline for council to act is Friday. No additional meetings have been scheduled, council President Julio Guridy said. Schweyer noted that a vote on the city's recently approved water and sewer lease took more than a year and a half. The short window to vote on the initiative is unfortunate, he said. "I don't think any of us are opposed to more monitoring," Schweyer said. "I don't have any philosophical problem with more monitoring and more oversight. I do have a problem with trying to adjudicate and trying to make a decision on two pieces of paper that are dated today."

### **Commentary: Obama should block the Keystone pipeline**

WASHINGTON POST (By Sen. Tim Kaine - Va.) President Obama is expected to make a decision in the next few months on the Keystone XL project. As the debate heats up, I worry that the shorthand used in talking about the issue obscures the real point. I'm a pro-pipeline senator. As a former mayor of Richmond, a city with a gas utility, I think it makes no sense to be anti-pipeline. But I oppose the Keystone XL project. Although the president's decision is technically over whether to allow a pipeline to deliver oil from Alberta to the coast of the Gulf of Mexico, the real issue isn't the pipeline. It's the wisdom of using tar sands oil. By most accounts, oil from tar sands is 15 to 20 percent dirtier than conventional petroleum, and the process of extracting and refining it is more difficult and resource-intensive. With so many cleaner alternatives, there is no reason to embrace the use of a dirtier fuel source. Approving the pipeline would send a clear signal to the markets to expand the development of tar sands oil. Such an expansion would hurt our nation's work to reduce carbon emissions. We have to make energy cleaner tomorrow than it is today. That's why the president should block Keystone. Being cleaner doesn't mean we have

to abandon carbon-based energy. As governor of Virginia, I supported building a state-of-the-art coal plant in exchange for converting a plant that predated the Clean Air Act from coal to natural gas. I support development of offshore energy (gas, oil, wind and tidal) in the Atlantic. I support new hydro-fracturing techniques that expand the production of natural gas. And I believe that recent upgrades in national fuel economy standards are a major environmental achievement for Obama. We just need to take a phased approach to reducing carbon emissions. Coal plants, fossil-fuel production and automobiles still pollute. But we've shown that we can get progressively cleaner. The United States has reduced carbon dioxide emissions by 9 percent since 2005. Although the recession played a part, the volume of fuel use switched over to natural gas during this period was unprecedented, and renewable-electricity generation — particularly wind — has grown faster than expected. Better auto fuel efficiency has played a part and will continue to have an increasing role.

### **COAL: Greens sue over discharges from former mountaintop mines**

GREENWIRE Environmentalists filed a lawsuit in federal court yesterday accusing two companies of polluting waterways with discharges from former mountaintop-removal mines. The move by the Sierra Club, Ohio Valley Environmental Coalition and West Virginia Highlands Conservancy comes weeks after they initiated three lawsuits aimed at showing mountaintop-removal problems persist long after the sites are closed. The lawsuit filed in U.S. District Court for the Southern District of West Virginia accuses Hershaw Partners LLC and Pocahontas Land Corp. of dumping selenium from former mine sites. Selenium is a chemical element that, in sufficient quantities, can cause problems to human health and aquatic life, including fish deformities and reproductive failures. Environmentalists have gone after numerous companies over selenium pollution allegations with mixed results. One of the three lawsuits the groups filed last month involved a different site owned by Pocahontas Land Corp., a unit of Norfolk Southern Corp. A company spokeswoman declined to comment. The Clean Water Act and the Surface Mining Control and Reclamation Act have provisions releasing companies from certain responsibility after mine reclamation is complete. The groups, however, claim that ongoing pollutant releases don't have a permit and are, therefore, violations of the Clean Water Act.

### **State expands groundwater regulation into Middle Peninsula**

NEWPORT NEWS DAILY PRESS The regulatory reach of the state's Department of Environmental Quality was extended earlier this week with the approval of an expansion into the Middle Peninsula of the Eastern Virginia Groundwater Management Area to slow the depletion of groundwater. The unanimous action by the State Water Control Board will regulate groundwater withdrawals by the state's heaviest users. The regulation aims to manage groundwater tapped from vast aquifers that are being depleted at unprecedented rates, imperiling future supplies of underground water. The diminishing aquifers have also been linked to subsidence, in which land sinks — particularly in Hampton Road — as the water underground is drained.

### **Federal workers largely unsatisfied with performance**

## **rewards and promotions**

WASHINGTON POST Most federal workers don't believe their agencies will reward or promote them for performance, according to a new analysis from a good-government advocacy group. The Partnership for Public Service on Wednesday reported that only 43 percent of federal employees think their employers will provide performance awards or better job opportunities, based on findings from the Office of Personnel Management's 2012 Federal Employee Viewpoint Survey. The partnership's annual "Best Places to Work in the Federal Government" report, which relies on results from the yearly employee-satisfaction survey, has listed performance-based rewards and advancement among its lowest-rated categories since 2005. The 2012 score dropped 2.5 points compared to the previous year. On a more positive note, 67 percent of federal employees said they believe their performance appraisals were fair. But just 34 percent said they are satisfied with opportunities for career advancement, and only 36 percent said creativity and innovation are rewarded. By comparison, private-sector employees rated their opportunities for advancement 14 points higher, according to the partnership. Federal workers on the lower end of the pay scale were less satisfied with performance-based awards than their higher-paid colleagues, according to the partnership's analysis. The group recommended that government agencies should do more to acknowledge good work, provide opportunities for career advancement and give employees greater responsibilities or new experiences. "With limited ability to increase compensation or to provide other monetary rewards, managers must rethink how they define rewards and recognition," the partnership concluded in its analysis.

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## **PENNSYLVANIA**

### **PHILADELPHIA INQUIRER**

Plant in NE Pa. will store power in flywheels An innovative energy-storage company back from bankruptcy is building a plant in Northeastern Pennsylvania to store electrical power in speedy spinning flywheels. Beacon Power L.L.C. on Friday will install the first of 200 flywheels in a nondescript industrial park near Hazleton. The \$53 million storage system is capable of discharging 20 megawatts of electricity into the grid at a moment's notice - the equivalent of a burst of energy from a small power plant. Flywheels have been used for storing energy for a long time - think of a potter's wheel. But only in recent years have high-tech utility-scale systems been deployed. Flywheel storage systems are designed to smooth out the peaks and valleys in the power system to help grid operators meet fluctuating demand. That important "frequency regulation" service conducted in the background is typically done by small gas-fired generators.

### **PITTSBURGH POST-GAZETTE**

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Hall in Oakland. Pittsburgh is one of 20 U.S. cities to get a preview peek at Mr. Fox's new documentary prior to its broadcast debut on HBO at 9 p.m. July 8. "Gasland" explored the rapidly expanding shale gas development across the U.S., showing health impacts on families near well sites, hazardous air pollutants coming off condensate storage tanks at well sites, and tap water so contaminated with methane it burst into flames with the flick of a BIC. Three years later, everything is bigger. The shale gas industry has drilled more than 6,000 wells in Pennsylvania, and public outrage has expanded right along with it, according to Mr. Fox. "We're winning the public, winning the democracy, with our message. The industry is winning the government and the media because they can buy those things," he said. "But they can't buy the need for healthy communities. That's why a recent poll showed an overwhelming number of people in this state favor a moratorium on drilling." He was referring to a May poll by the University of Michigan and Muhlenberg College that found that while 49 percent of Pennsylvanians approve of shale gas drilling almost two-thirds support a drilling moratorium in order to study the risks. Mr. Fox said "Gasland Part II" revisits some of those same fractured communities -- including Dimock in Susquehanna County -- and asks why powerful oil and gas interests are allowed to pollute the environment while also "contaminating our democracy."

### **PITTSBURGH TRIBUNE REVIEW**

Water tank work sparks concerns in Liberty A Pennsylvania-American Water Co. spokeswoman said on Thursday the utility properly notified Liberty residents and fire officials about the draining and repainting of a 560,000 gallon water storage tank. "It is a water storage tank that serves that portion of our distribution system," Josephine Posti said. "It is going through a routine repainting. We do that every 10 years or so." Posti said the utility was not required to contact borough officials about the work along Jeffrey Drive. "We did notify and worked closely with the local fire department. Residents should not see disruption in residential service. If there was a large fire, the fire department would have to have some alternative on standby." Liberty Borough Volunteer Fire Department said they were notified a couple weeks ago, in advance of the work. "We added more tankers," assistant Chief Jim Williams said. "They let us know they were going to have that tank out of service and we would have to provide additional water services." PAWC's decision not to contact the borough prompted Solicitor George Gobel to tell council members on Wednesday he would file a complaint with the Public Utility Commission.

Lower Monongahela River locks, dam project nears top priority in Congress A critical Monongahela River project that is 10 years behind schedule and nearly \$1 billion over budget could receive money through legislation Congress is considering. "It could help us catch up on work that should have been completed a long time ago," said Susanne Majewski, acting chief of programs and project management for the Army Corps of Engineers Pittsburgh District. Barges carried 54.7 million tons of cargo through Monongahela River locks last year, up 11 percent from 2011, Corps data show. The Corps expected to finish the Lower Monongahela River project within 10 years when work began in 1994 on what was then a \$750 million project to remove the locks and dam in Elizabeth, replace a dam in Braddock and build locks in Charleroi. Funding shortfalls and delays postponed the projected completion date to at least 2025. The work will cost an estimated \$1.7 billion.

Township conducts hearing for reclamation project Representatives from Coal Loaders Inc. answered Ligonier Township residents' questions concerning a land reclamation project during a

public hearing last Tuesday at the township supervisors meeting. If approved, coal will be mined and land will be restored on a piece of private property near Tosh Road. Dave Bridge, who lives adjacent to the property, expressed interest in learning how exactly brush from the project would be burned. Coal Loaders Inc. Engineer Mark Klonicke said the company plans to use an air curtain destructor to efficiently burn the brush, which he described as a "big fan and a big pipe" that directs air to the area being burned and burns the material faster. Tosh Road resident Mike Droske inquired about how the project will affect his well water's quality. While Klonicke insisted it is "virtually impossible" for drainage from the mine to affect the well, he said Coal Loaders Inc. will provide a replacement supply of water of the same quality and quantity if residents' water is affected. Droske also asked if the project will interrupt the flow of a stream on his property into a pond. Klonicke said the project will delay the flow of the stream for a day at most. Klonicke presented a revised site map for the project during the hearing, which included decreasing the site's footprint by 2.5 acres, making the size of the site 15.1 acres. Donald Lupyan vice president of Coal Loaders Inc. also presented information during the hearing, explaining that approximately four to five coal trucks will travel from the site Monday through Saturday between 6 a.m. and 4 p.m. if the project is approved. Klonicke insisted the trucks will not impact township streets, as one resident asked if the company's trucks would be able to pass other vehicles on narrow sections of Tosh Road. If approved, this will be the sixth reclamation contract Coal Loaders Inc. has made with Ligonier Township.

Plum police investigating carbon monoxide poisoning death Plum police are investigating a carbon monoxide poisoning that left a woman dead and her husband hospitalized Wednesday afternoon. Chief Frank Monaco said Mary Harris, ...

### **STATE IMPACT PENNSYLVANIA**

Manufacturers Increase Use of Natural Gas Low natural gas prices are continuing to help boost the industrial sector, according to a report out Thursday by the Energy Information Administration. EIA says the use of natural gas by manufacturers rose three percent compared to the same six month period last year. As the gas industry pushes for export approvals, the manufacturing industry has pushed back, saying exports could create a rise in domestic gas prices that would hurt the recovering sector. A recent report commissioned by the Department of Energy predicts moderate price increases as a result of new exports.

### **ALLENTOWN MORNING CALL**

Allentown council tables clean air initiative, effectively sending it to voters Vowing to send a message by their inaction, members of Allentown City Council voted 5-1 Wednesday night to table a proposed ballot initiative that would create stricter environmental controls for a proposed waste-to-energy plant. That effectively puts the initiative before the voters in November. Only hours before the vote, council received several new legal opinions on the proposal. One was a letter from the state Department of Environmental Protection stating that, if enacted, the proposed law might be preempted by state regulations. That left several members feeling "uncomfortable" about voting. Councilman Peter Schweyer suggested that tabling the ordinance would signal to the voters that council did not have the complete picture needed to make an informed decision. According to the city charter, a ballot initiative must first be placed on council's agenda for consideration. If council approves the proposal, it becomes law. But if council votes no or declines to vote, the initiative moves on to the ballot for the voters to decide

in November. Based on the date a petition signed by more than 2,000 residents was submitted, the deadline for council to act is Friday. No additional meetings have been scheduled, council President Julio Guridy said. Schweyer noted that a vote on the city's recently approved water and sewer lease took more than a year and a half. The short window to vote on the initiative is unfortunate, he said. "I don't think any of us are opposed to more monitoring," Schweyer said. "I don't have any philosophical problem with more monitoring and more oversight. I do have a problem with trying to adjudicate and trying to make a decision on two pieces of paper that are dated today."

### **EASTON EXPRESS TIMES**

LETTER: Films tell two different stories about fracking Directors of two films brought competing views to Bethlehem on Monday on the fracking issue. A small group attended "FrackNation," which included farmers who allow fracking, as well as representatives from a group that wants to be able to lease to gas companies. A much larger group attended the "Gasland2" showing. "FrackNation" is a stunning indictment of a number of debunked claims made by the original "Gasland" film. I have not seen "Gasland2" or even the original "Gasland" in its entirety, but suffice it to say, once a filmmaker hooks up a gas line to a faucet to give the impression that the water is flammable, as was stated in a court finding, he has lost all credibility with me. (It is possible for methane to infiltrate a well where no ground disturbance has occurred.) If you watch both you can decide for yourself. "Gasland's" Josh Fox doesn't think that's necessary.

### **WASHINGTON OBSERVER REPORTER**

Hopewell resident questions use of gas drilling royalties A Hopewell Township resident asked the Washington County commissioners Thursday to use gas well royalties from Marcellus Shale drilling at Cross Creek County Park to lower the property taxes of Avella Area School District residents and questioned why they have not developed the park to attract out-of-state visitors. Robert Moore, 71, told the commissioners he is seeking "what was promised us and what we never got anything out of" and presented them with a sheaf of signed petitions from residents who feel the same. "They took that property by eminent domain and took it off our tax rolls," Moore said of the Cross Creek park land, which was flood-prone. Moore brought with him a 1967 Observer-Reporter article that pointed to, in addition to the dam and lake, "\$300,000 worth of planned improvements" including a beach with 1,500 feet of lake frontage for swimming, 2.2 miles of park roads, parking lots with the capacity for 1,000 vehicles, boat docks, picnicking pavilions, hiking and bridle trails, campsites, tennis and volleyball courts and a winter sports area with ski trails, sledding and related facilities. Commissioners at that time were John P. Bevec, Michael R. Flynn and John Mazza. Current Commission Chairman Larry Maggi said after the meeting that he was a McGuffey High School junior in 1967. Moore also compared Cross Creek's amenities to those of Mingo Creek County Park, saying that the park in Nottingham Township has "a lot more than you put in Cross Creek."

### **ASSOCIATED PRESS (PA)**

Delaware River dredging about 60 percent complete PHILADELPHIA — Port officials in Philadelphia say a massive project to deepen the Delaware River is about 60 percent complete. Officials say workers finished dredging an 11-mile stretch last month. That means 38 miles have now been deepened from 40 feet to 45 feet. Supporters say the project will allow larger ships to

use local ports. But environmental groups have opposed the effort. About 25 miles remain to be deepened. The next river segment slated for dredging is in the Delaware Bay. Work is expected to begin in September. After that, bidding will begin for a stretch separating Philadelphia and Camden, N.J., according to The Philadelphia Inquirer. The \$300 million project began three years ago and is expected to be complete by 2017. It's being financed by local, state and federal agencies.

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## WASHINGTON, D.C.

### **WASHINGTON POST**

Federal workers largely unsatisfied with performance rewards and promotions Most federal workers don't believe their agencies will reward or promote them for performance, according to a new analysis from a good-government advocacy group. The Partnership for Public Service on Wednesday reported that only 43 percent of federal employees think their employers will provide performance awards or better job opportunities, based on findings from the Office of Personnel Management's 2012 Federal Employee Viewpoint Survey. The partnership's annual "Best Places to Work in the Federal Government" report, which relies on results from the yearly employee-satisfaction survey, has listed performance-based rewards and advancement among its lowest-rated categories since 2005. The 2012 score dropped 2.5 points compared to the previous year. On a more positive note, 67 percent of federal employees said they believe their performance appraisals were fair. But just 34 percent said they are satisfied with opportunities for career advancement, and only 36 percent said creativity and innovation are rewarded. By comparison, private-sector employees rated their opportunities for advancement 14 points higher, according to the partnership. Federal workers on the lower end of the pay scale were less satisfied with performance-based awards than their higher-paid colleagues, according to the partnership's analysis. The group recommended that government agencies should do more to acknowledge good work, provide opportunities for career advancement and give employees greater responsibilities or new experiences. "With limited ability to increase compensation or to provide other monetary rewards, managers must rethink how they define rewards and recognition," the partnership concluded in its analysis.

Long-track tornado confirmed in St. Mary's County The thunderstorm outbreak of one week ago today brought not just one rare long-track tornado to the region, but two. In addition to the 18-mile long Montgomery County shredder, a twister that ripped through southern Maryland carved a 14-mile path. The St. Mary's County tornado, 13.8 miles long to be precise, raced from Oakley to California between 3:24 and 3:42 p.m. Thursday, June 13, the National Weather Service reports. The twister's peak winds reached 75 mph, classifying it an EF-0, the weakest designation on the Enhanced Fujita (EF) 0-5 scale. As the Montgomery County tornado was on the ground from 3:41 to 3:59 p.m., it would appear it was a rare occurrence of two simultaneous tornadoes in the state of Maryland, if only for a minute. Like its Montgomery County counterpart, the St. Mary's County tornado caused no direct structural damage, but inflicted its wrath on trees.

Cyclists, lawmakers push to make Amtrak more bike-friendly Cyclists across the country and a

group of New York lawmakers think so. According to the [DCStreets Blog](#), New York Sen. Charles Schumer (D) is among those asking the railway to find ways to better accommodate bicycles on its trains. Currently, accommodations for fully assembled bikes are only available on a limited number of routes. Reservations must be made in advance and space is quite limited. In other instances, for \$10, cyclists can check their bicycle in (as they would a piece of luggage) but it must be in a bicycle container. Amtrak sells bicycle boxes for \$15 per box. Passengers may also supply their own bicycle container. Amtrak passengers may bring folding bikes on board as long as they meet certain requirements.

[Earth had third warmest May on record \(tie with 1998 and 2005\)](#) It was the chilliest spring in the U.S. since 1996, and 38th coolest on record. But the cool weather in the U.S. was an anomaly as the globe experienced its 8th warmest spring on record, capped off by the third warmest May according to NOAA. The average global temperature in May was 1.19 degrees F. above the 20th century average, matching 1998 and 2005 for the third warmest May dating back to 1880.

[Commentary: Obama should block the Keystone pipeline](#) (By Sen. Tim Kaine) President Obama is expected to make a decision in the next few months on the Keystone XL project. As the debate heats up, I worry that the shorthand used in talking about the issue obscures the real point. I'm a pro-pipeline senator. As a former mayor of Richmond, a city with a gas utility, I think it makes no sense to be anti-pipeline. But I oppose the Keystone XL project. Although the president's decision is technically over whether to allow a pipeline to deliver oil from Alberta to the coast of the Gulf of Mexico, the real issue isn't the pipeline. It's the wisdom of using tar sands oil. By most accounts, oil from tar sands is 15 to 20 percent dirtier than conventional petroleum, and the process of extracting and refining it is more difficult and resource-intensive. With so many cleaner alternatives, there is no reason to embrace the use of a dirtier fuel source. Approving the pipeline would send a clear signal to the markets to expand the development of tar sands oil. Such an expansion would hurt our nation's work to reduce carbon emissions. We have to make energy cleaner tomorrow than it is today. That's why the president should block Keystone. Being cleaner doesn't mean we have to abandon carbon-based energy. As governor of Virginia, I supported building a state-of-the art coal plant in exchange for converting a plant that predated the Clean Air Act from coal to natural gas. I support development of offshore energy (gas, oil, wind and tidal) in the Atlantic. I support new hydro-fracturing techniques that expand the production of natural gas. And I believe that recent upgrades in national fuel economy standards are a major environmental achievement for Obama. We just need to take a phased approach to reducing carbon emissions. Coal plants, fossil-fuel production and automobiles still pollute. But we've shown that we can get progressively cleaner. The United States has reduced carbon dioxide emissions by 9 percent since 2005. Although the recession played a part, the volume of fuel use switched over to natural gas during this period was unprecedented, and renewable-electricity generation — particularly wind — has grown faster than expected. Better auto fuel efficiency has played a part and will continue to have an increasing role.

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## DELAWARE

## **WILMINGTON NEWS JOURNAL**

Chicken plant in Millsboro ruffles feathers Millsboro residents want assurances that a proposed Allen Harim chicken plant will not harm quality of life in their community. Allen Harim representatives and state officials talked about the plant and answered questions from a crowd of nearly 60 residents June 17 in Millsboro, some angrily shouting that the plant will be a slaughterhouse that will destroy the quality of life for area residents. The meeting was the second discussion of the future of the plant, where Allen Harim expects to invest millions of dollars to convert a former Vlastic pickle plant to a state-of-the-art chicken-processing facility. The project is expected to add 700 jobs and create opportunities for at least 100 farm families to raise chickens for Allen Harim. While legislators are eager to promote the jobs the plant is expected to bring, residents raised air and water quality concerns as well as noise and traffic issues. "The public is not behind this. There are more than 300 signatures on petitions, and I urge you to reconsider your proposal until the public is behind it," said Maria Payan, a consultant for Socially Responsible Agricultural Project, which advocates for sustainable farming. Payan is a resident of Pennsylvania whose mother lives in Selbyville.

Campground hearing draws conflicting testimony There are two sides to most land-use applications considered by Sussex County officials. But few offer the contrasts the proposed Castaways at Massey's Landing RV campground offers. The applicants' representatives say the location at the end of Long Neck Road is an ideal spot for a campground; opponents say the project would benefit only tourists and the owners and insist all development in the area should be residential. The parcel was approved for a 120-unit housing project in 2007. The applicants say a 2005 traffic study shows Long Neck Road can handle additional traffic, which would be minimal at best; opponents say the study is outdated and does not reflect what is actually occurring on Long Neck Road. Proponents say the project would provide jobs and promote tourism, which are important elements in the county's comprehensive land-use plan. Opponents say the project does not enrich the surrounding area.

Rehoboth to approve Deauville Beach lease The Rehoboth Beach commissioners are expected to approve a new lease for the property known as Deauville Beach at their Friday, June 21 regular meeting. While Deauville, located on the north end of town between Rehoboth and Henlopen Acres, is within the city limits, the Department of Natural Resources and Environmental Control owns its 21 acres. The state leases the land to the city. Mayor Sam Cooper said the new lease is for 10 years and will cost the city \$250 per year. Although the city collects parking fees from the lot at Deauville Beach, Cooper said DNREC requires the city to put the money back into parks costs, such as lifeguards. He said the lease arrangement should not have any bearing on the city's plans to run its proposed ocean outfall pipe off 6,000 feet off the coast of Deauville Beach.

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# **WEST VIRGINIA**

## **WEST VIRGINIA PUBLIC BROADCASTING**

Fracking: good for the economy, bad for struggling families The Select Committee on Children and Poverty saw their trip to Wheeling as an opportunity to hear from those struggling with poverty in the region, but committee members found out, a booming oil and gas industry is

hurting low-income families. Jessica Ernest is a family resource advocate for Northern Headstart, a program that covers Hancock, Brooke, Ohio, Marshall and Wetzel Counties. Jessica lives in Wheeling and attended the public forum hosted by the Select Committee on Children and Poverty to share not only the story of the families she works with, but also her own. "I'm 23 now. I have daughter, she's three. I'm a single mom. I was 20 when I found out I was pregnant and one of the first things I did was apply for the Section 8 housing choice voucher program through the Wheeling Housing Authority," Jessica said in her testimony before the committee. The Wheeling Housing Authority is just one of many assistance programs helping low-income and homeless families find and pay for housing in their areas. But, like so many others who apply for assistance, Jessica was placed on a waiting list for a year and a half before the Authority was able to help her. Even then, demand for affordable housing was so high she had to transfer her voucher and move from Wheeling to Marshall County. ... In northern West Virginia, it's a problem of supply and demand. With a booming oil and gas industry, workers getting paid big bucks are driving up the cost of rent, making it almost impossible for lower income families to afford housing. The industry seems to be a catch 22. Good for the state economy, bad for those already struggling to make ends meet.

#### **ASSOCIATED PRESS (W. VA.)**

W.Va. PSC approves wind farm expansion QUINWOOD, W.Va. -- More wind turbines are on the way in Greenbrier County after getting the go-ahead from state regulators. The West Virginia Public Service Commission has approved the Invenergy subsidiary's request to construct 33 turbines west of its existing Beech Ridge Energy wind farm. The existing farm has 67 turbines. The Register-Herald reports that the windmills will be placed on a 70,000-acre tract owned by MeadWestvaco Corp. Construction on the project is set to begin in July and will conclude by the end of the year. The project is expected to create 150 short-term construction jobs and a handful of facility operator jobs. The company estimates the construction of the 497-foot-tall turbines and associated facilities will cost \$115 million.

State libraries helping with energy use initiative CHARLESTON, W.Va. -- Appalachian Power is teaming up with West Virginia libraries to teach customers about energy efficiency. Twenty-six libraries are loaning meters to customers that measure the amount of electricity consumed from household electric appliances and gadgets. Appalachian Power energy efficiency and consumer programs manager Jim Fawcett says the "Kill-A-Watt" meters can quickly identify the biggest opportunities for energy savings. Those savings can come from computers, cell phone chargers and other items that are plugged in but not in use.

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## **MARYLAND**

#### **BALTIMORE SUN**

Summer brings waves of water testing for bacteria in Anne Arundel The start of summer lures many Marylanders to the Chesapeake Bay and area rivers for a dip along the shoreline. It also brings increased monitoring of beach and water quality, and sometimes dire warnings about bacteria levels. This week, South Riverkeeper Diana Muller took 11 water samples along beaches south of Annapolis. All but one tested above safe swimming limits, prompting her to

post the bacteria counts on Facebook with the caption: "I just received my bacteria results — PLEASE DO NOT SWIM in the SOUTH RIVER!!" Stormwater, wildlife waste, sewage leaks and other factors add to bacteria in the rivers and bay, which can make them unsafe for swimmers who risk upset stomachs, diarrhea, eye and ear infections, and other illnesses. Anne Arundel's coastline, with 533 miles of waterfront dotted with more than 100 community beaches, becomes one of the most tested regions in Maryland in summertime. Not only is routine water testing performed by the county Health Department but also environmental groups and private waterfront communities, creating what many consider the state's most robust effort to police beaches. The county's Health Department issued no-swim advisories this week for three beaches in the county — Londontown on the South River, Beverly Beach on the Chesapeake and Upper Magothy Beach in Severna Park — after tests found high levels of *enterococci*, a bacterium found in the waste of warm-blooded animal. Earlier this month, officials warned people of potentially dangerous levels of bacteria in the water days before the annual Great Chesapeake Bay Swim. The advisories, and the yellow warning signs posted on the beaches, stay in place until the bacteria counts come down, said Gerry Zitnik, a Health Department program manager who oversees testing at more than 90 beaches in Anne Arundel. "There are some people that maybe ignore the warnings and go into the water," Zitnik said. "We try to give people the best information possible so they can make good decisions on their own whether they and their family members should swim in the water."

Letter: O'Malley and the cruise ships: Since when does he care about running businesses out of the stateGov. Martin O'Malley is importuning the Environmental Protection Agency so as not to lose Baltimore's lucrative cruise ship business ("O'Malley lobbies EPA to ease cruise ship pollution rule," June 16)! Isn't that odd? He has been running businesses out of the state with seemingly great alacrity! Has he turned over a new leaf? Hey Martin, kudos, you have taxed the rain; what's next, the sun? How about the air that we breathe? I know that you are exploring every "opportunity" to create a new tax that you'll need to support all of those "new citizens" (voters) of yours!

### **SALISBURY DAILY TIMES**

Crisfield man sentenced for polluting bay with abandoned boat BALTIMORE Attorney General Douglas F. Gansler announced that Gregory Sterling, 56, of Crisfield was convicted of polluting state waters by abandoning a dilapidated and sinking boat in the Little Annemessex River, a tributary of the Chesapeake Bay. Sterling pleaded guilty to the charge and Somerset County District Court Judge Paula Price sentenced the defendant to 45 days in jail. "Abandoned boats not only present a danger to others, they pollute rivers, streams and ultimately in this case, the Chesapeake Bay," said Gansler. "We should all do what we can to protect and improve our precious state waters and that includes obeying laws and regulations designed to prevent pollution." According to the investigation, a waterfront property homeowner on Wellington Road in Crisfield reported to the Natural Resources Police that a boat had been tied up at his dock without his permission. Upon interviewing other persons normally in the area, investigators determined that Sterling was the person who had left the 21-foot Bayliner cabin cruiser tied up at the dock. The boat was in poor condition and without a motor while flooding and about to sink. When interviewed, Sterling admitted placing the boat at that dock. Claiming that he had an

ownership right in the dock and was asserting his right to use it, he refused to remove the boat. In a civil proceeding, a Circuit Court judge denied the defendant's claim of ownership. The boat subsequently came away from its moorings at the dock and proceeded to sink. NRP officers indicated that the boat was in a state of disrepair and in a position that constituted a hazard or obstruction to the cove where it was located. The Attorney General's Environmental Crimes Unit handled this case at the request of the state's attorney for Somerset County.

### **CARROLL COUNTY TIMES**

Carroll County venturing crew team earns second place at Maryland Envirothon Most of the members of the Carroll County Envirothon team went into this year's Maryland competition knowing it was their last shot. Four members of the five-member team are heading off to college this fall, so this was their final chance to win the state competition and go on to the national Canon Envirothon in Montana this summer. But the Venturing Crew 202, a co-ed offshoot of the Boy Scouts, narrowly missed the coveted No. 1 spot, earning second place overall at the 2013 Maryland Envirothon at the Western Maryland 4-H Education Center Wednesday and Thursday in Bittinger. Harford Christian School won the state competition for the second year in a row. Members of the top three teams were awarded scholarships ranging from \$200 to \$500 through the Maryland Grain Producers Utilization Board Scholarship program, according to a Maryland Department of Agriculture news release. At this year's Carroll County Envirothon, held April 24 at Bear Branch Nature Center, the team took top honors for the 12th year in a row. The county Envirothon is an academic challenge sponsored by the Carroll Soil Conservation District to select the team to represent Carroll County at the statewide competition. Natalie Agee, a recent Westminster High School graduate, said the completion of her last state Envirothon is bittersweet. "I really wanted to go to nationals but I'm definitely pleased with the outcome," she said. "We've improved a lot." In last year's state competition, the team placed fourth and in 2011, the team placed third. In the two years prior to that, the venturing crew won first place. The Venturing Crew 202 team meets every other week during the year with retired Westminster biology teacher Claudia Lewis as its adviser. The students run the sessions, which consist of lectures prepared by themselves or by invited experts, guided learning concentrating on a specific area of environmental research, development of their formal presentations and practice.

County purchases seven farm easements Carroll County's legacy of farming was continued Thursday when 672 acres were added to the already 62,000 acres of farmland in the county's agricultural land preservation program. The Carroll County Board of Commissioners voted 3-0 to spend approximately \$2.7 million to purchase easements on seven farms. The preservation program, which has been in existence since 1979, gives farmers the opportunity to sell the building rights on their farms to the county to ensure the land can never be developed. The ultimate goal of the program is to preserve 100,000 acres of Carroll County farmland by 2020. The county now has nearly 63,000 acres of preserved farmland. "This program is extremely important, not just for the legacy of Carroll County but also for the future of Carroll County," said Commissioner Doug Howard, R-District 5.

County seeks grant money for Bennett Cerf trail expansion The Bennett Cerf Park hiking and biking trail in Westminster may be expanded if the county's request for \$40,000 in grant money gets approved by the state.

## **KENT COUNTY NEWS**

EPA agrees to audit Bay watershed states CHESTERTOWN -- Instead of new federal rules on livestock farms, the Environmental Protection Agency has agreed to audit Chesapeake Bay watershed states for effective actions to curb nutrient pollution. The agreement worked out by the Chesapeake Bay Foundation and the EPA was announced June 5. It amends a settlement agreement from 2010. According to CBF Senior Water Quality Scientist Beth McGee, it replaces proposed new regulations with audits. It moves the decision on new regulations off another five years. "The agreement is geared toward ensuring compliance with existing laws," she said last week, and to identify "the gaps between what a state has said it will do versus what is being done." The original settlement called for new EPA regulations on large animal-raising operations, but that is a drawn-out process which wouldn't necessarily shed light on how well the six Chesapeake Bay watershed states are doing in cutting back on agricultural pollution. Pat Langenfelder, a Kent County farmer and president of the Maryland Farm Bureau, said Monday, "Our concern is the fact that the EPA settles, and makes an agreement with the Chesapeake Bay Foundation, but no one else was allowed to participate. Those impacted the most are left out." But Maryland's farmers are ahead of schedule so far, she said, where pollution reduction is concerned. During the first two-year segment of the statewide Watershed Improvement Plan – WIP – Maryland's agriculture interests got to 130 percent of goal. The watershed states affected by the lawsuit are Maryland, Virginia, Delaware, West Virginia, Pennsylvania and New York. Under the modified agreement the EPA will look to see whether watershed farmers involved with raising livestock are following their nutrient management plans, and whether states are succeeding or failing with cleanup programs aimed at agricultural nutrient pollution. The difficulty with new federal regulations, according to a CBF statement, is that a "new CAFO rule would be challenged in court for years. And it would not address a key question, whether a farm was discharging pollution."

## **ASSOCIATED PRESS (MD)**

US Silica, big supplier of fracking sand, plans expansion of Frederick, Md. headquarters

FREDERICK, Md. — A company that supplies fracking sand to the oil and natural gas industry is planning an expansion of its Frederick headquarters. The city's mayor and Board of Aldermen are considering a proposal Thursday to give U.S. Silica Holdings Inc. a \$5,000 conditional loan as part of an incentive package. The loan would convert to a grant if the company meets certain conditions. They include adding 20 full-time employees within two years. The city's economic development director says U.S. Silica currently has 56 employees in Frederick. The company has been growing rapidly with the rising demand for sand for oil and gas extraction. The loan would be a 10 percent match of a \$50,000 conditional loan from the Maryland Department of Business and Economic Development.

Crisfield man pleads guilty to polluting Chesapeake Bay tributary with sinking boat

BALTIMORE — A Crisfield man has been convicted of polluting state waters by abandoning a dilapidated and sinking boat in a tributary of the Chesapeake Bay. State prosecutors say 56-year-old Gregory Sterling pleaded guilty to the charge in Somerset County District Court and was sentenced to 45 days in jail. Prosecutors say the case against Sterling began when a homeowner reported a boat tied up at his dock without his permission. The 21-foot cabin cruiser was in poor condition, without a motor and flooding. Investigators determined Sterling was the person who left the boat.

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# VIRGINIA

## **RICHMOND TIMES-DISPATCH**

Regional responders display \$7 million in gear for use in terrorist attacks, natural disasters First responders from 22 localities across central and Southside Virginia converged Thursday at the Virginia State Police Academy to publicly display more than \$7 million in emergency-related equipment acquired for responding to terrorist attacks, natural disasters and other mass-casualty events. The police, fire and emergency management responders have formed the Central Virginia Emergency Management Alliance, which will share the equipment "to enhance our response to and preparedness for disasters that are related to terrorism," said Emily Dillon, chairperson of the Central Virginia Urban Area Security Initiative and Chesterfield County's emergency management coordinator. The equipment and emergency response vehicles — ranging from mass casualty incident trailers to satellite phones to bomb squad vehicles and robots — were paid for with \$7,018,219 in grant funding from the Department of Homeland Security over three fiscal years. After the Sept. 11, 2001, terrorist attacks, Homeland Security conducted threat assessments of the nation's metropolitan areas and designated 35 — including the Richmond region — as beneficiaries of funds under the Urban Area Security Initiative. But to receive the money, localities were required to complete "investment justifications."

## **NEWPORT NEWS DAILY PRESS**

State expands groundwater regulation into Middle Peninsula The regulatory reach of the state's Department of Environmental Quality was extended earlier this week with the approval of an expansion into the Middle Peninsula of the Eastern Virginia Groundwater Management Area to slow the depletion of groundwater. The unanimous action by the State Water Control Board will regulate groundwater withdrawals by the state's heaviest users. The regulation aims to manage groundwater tapped from vast aquifers that are being depleted at unprecedented rates, imperiling future supplies of underground water. The diminishing aquifers have also been linked to subsidence, in which land sinks — particularly in Hampton Road — as the water underground is drained. The counties included in the expansion of the groundwater management area include Gloucester, Mathews, Middlesex, Essex, King and Queen, King George, Northumberland, Lancaster, Westmoreland and Richmond. Parts of six other localities east of Interstate 95 and north of Richmond are included in the expansion. Scott Kudlas, director of the Office of Water Supply for DEQ, said the board's action won't affect homeowners on private wells. "Both the statute passed by the General Assembly and the regulation adopted by the board specifically exempt all water withdrawals less than 300,000 gallons per month from the permit requirement," he said. By placing the entire coastal aquifer system under the permit program, the groundwater resource will be comprehensively managed for the first time, Kudlas said. The goal of the management is to ensure Virginia and its residents get the greatest economic benefit from the resource while maintaining its long-term availability and productivity, he said. "The main effect on future use of the groundwater supplies is that impact analyses and permits will be required," Kudlas said. "To date, DEQ has been successful at finding ways to withdraw from the coastal aquifer to meet the requested needs of the vast majority of groundwater users."

### **ASSOCIATED PRESS (VA.)**

Goodlatte wants Natural Bridge to become national park **ROANOKE** — A Roanoke-area congressman wants the federal government to study the possibility of turning Natural Bridge into a national park. Rep. Bob Goodlatte, R-6th, asked the National Park Service Wednesday to study whether it would be possible to add Natural Bridge to the park system. He suggested that private funds be used and that a conservation easement be placed on adjoining property to protect it. The privately owned, 215-foot-high Rockbridge County landmark recently was put up for sale. The limestone arch was carved naturally by the creek that runs under it. Thomas Jefferson once owned the bridge after purchasing it from England's King George III. George Washington is believed to have surveyed properties nearby and Monacan Indians called it "The Bridge of God."

Va. foresters say cicada outbreak damaging trees **CHARLOTTESVILLE** — Virginia forestry officials are reporting widespread damage to oaks and other trees from this year's arrival of cicadas. The Virginia Department of Forestry says the damage is the result of cicada females laying eggs in the thin-barked outer branches of trees and shrubs. The females slice into the branch, then deposit up to 80 eggs. Forest health specialist Chris Asaro said a single female can create about 30 nests, laying as many as 600 eggs. The egg-laying can cause structural damage known as "flagging." It is visible across much of the state's Piedmont and coastal plain. Forestry officials say most medium to large trees will not suffer any serious long-term damage. The department says the good news is, an outbreak of this brood of cicada won't occur for 17 years.

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## **MISCELLANEOUS**

### **BNA DAILY ENVIRONMENT REPORT**

EPA Says It Will Let Wyoming Lead Investigation of Case Tied to Fracking The Environmental Protection Agency said June 20 it will let Wyoming take the lead on investigating a possible case of groundwater contamination from natural gas drilling involving hydraulic fracturing near the town of Pavillion. EPA said it stood behind its work and data, but it also said it would not finalize its study or seek peer review of its draft study, nor would it rely upon the conclusions in the draft report. Instead, the agency will provide support to Wyoming in a continuation of the investigation. Sens. David Vitter (R-La.) and James Inhofe (R-Okla.) welcomed the agency's decision as an abandonment of what they described as a politicized investigation spurred by an interest in regulating hydraulic fracturing, or fracking. EPA's investigation had lacked scientific credibility, they said. Wyoming will conclude the investigation and release a final report by Sept. 30, 2014, EPA said. "It is in everyone's best interest—particularly the citizens who live outside of Pavillion—that Wyoming and the EPA reach an unbiased, scientifically supportable conclusion," Wyoming Gov. Matt Mead (R) said in a statement released with the EPA announcement. The primary criticism of EPA in both its Pavillion investigation and other actions on hydraulic fracturing is that state officials have far greater expertise on the subject, given their decades of regulating oil and gas operations. In reaction to EPA's change of course on Pavillion, Rep. Chris Stewart (R-Utah) issued a statement saying he was glad to see that the agency

“conceded that state-level expertise and capabilities are most appropriate for overseeing safe and responsible energy production.” The EPA draft report on Pavillion, released in December 2011, included a tentative conclusion that pollutants found in the aquifer used for Pavillion drinking water likely resulted from hydraulic fracturing to obtain gas from deeper geologic layers. The study came in for much criticism.

Feinstein Preparing Bill to Impose Carbon Fees on Power Plants Sen. Feinstein tells BNA she is preparing legislation that would impose a fee of \$10 per ton of carbon dioxide emitted from power plants. She says the fee would only apply to the utility industry and that the bill could be introduced within “a couple of weeks.” Sen. Boxer, chairwoman of the Senate Environment and Public Works Committee, says the legislation will be considered during a hearing on climate change in July.

EPA Finds Tests ‘Highly Unlikely’ to Miss Endocrine Disruptor Problems The current testing strategy EPA requires for endocrine disruptors is “highly unlikely” to miss problems people or wildlife would experience following their exposure to such chemicals, the agency concludes in a draft state-of-the-science paper. If confirmed following peer review, EPA's conclusion would undermine the hypothesis that hormonally active chemicals can cause reproductive, developmental, and other adverse effects in ways traditional toxicity studies and risk assessments would miss

### **GREENWIRE**

SUPREME COURT: It's 'make-or-break day' for EPA's cross-state rule, E15 waiver The Supreme Court will meet today to consider whether to review two U.S. EPA programs: regulations for air pollution that drifts across state lines and its approval of increased ethanol in gasoline. In their weekly conference, justices will weigh a request from EPA and environmentalists to examine a lower court ruling that threw out the Cross-State Air Pollution Rule (CSAPR) as well as petitions from industry challenging EPA's approval of E15, gasoline blended with 15 percent ethanol. Both stem from controversial rulings by the U.S. Court of Appeals for the District of Columbia Circuit, and in the CSAPR case, the Supreme Court represents EPA's last shot to hold on to the program. “It is definitely a make-or-break day for the cross-state rule,” said Frank O'Donnell of Clean Air Watch. It takes four votes from justices to grant review. With most cases, the court announces whether a petition has been granted or denied the Monday following when it was considered in conference -- though sometimes justices request further briefing or may relist cases for the following week's conference.

COAL: Greens sue over discharges from former mountaintop mines Environmentalists filed a lawsuit in federal court yesterday accusing two companies of polluting waterways with discharges from former mountaintop-removal mines. The move by the Sierra Club, Ohio Valley Environmental Coalition and West Virginia Highlands Conservancy comes weeks after they initiated three lawsuits aimed at showing mountaintop-removal problems persist long after the sites are closed. The lawsuit filed in U.S. District Court for the Southern District of West Virginia accuses Hernshaw Partners LLC and Pocahontas Land Corp. of dumping selenium from former mine sites. Selenium is a chemical element that, in sufficient quantities, can cause

problems to human health and aquatic life, including fish deformities and reproductive failures. Environmentalists have gone after numerous companies over selenium pollution allegations with mixed results. One of the three lawsuits the groups filed last month involved a different site owned by Pocahontas Land Corp., a unit of Norfolk Southern Corp. A company spokeswoman declined to comment. The Clean Water Act and the Surface Mining Control and Reclamation Act have provisions releasing companies from certain responsibility after mine reclamation is complete. The groups, however, claim that ongoing pollutant releases don't have a permit and are, therefore, violations of the Clean Water Act.

### **MOTHER JONES**

CHARTS: Republicans and Democrats Treat Fracking Like It's Global Warming The more liberals and conservatives know about science, the more they have wildly variant views about the risks of global warming, according to research by Yale's Dan Kahan. You might call it the "smart idiot" effect—knowledge, itself, seems to make people with diametrically opposed views more sure that they're right, and thus worsens the political fight over what is actually scientifically true. And recent research suggests that the "smart idiot" effect isn't limited to climate change—it also applies to public perception of fracking. At the center of a growing number of regional environmental disputes, "fracking"—short for hydraulic fracturing—refers to the process of blasting water and chemicals down wells at high pressure to crack shale layers and, in the process, release their hydrocarbon goodies. Why is the fracking issue prime terrain for another smart idiot effect—and another extreme bifurcation of the left and the right over what is factually true and accurate? Well, first, the issue is clearly growing in political salience—witness the recent Matt Damon film *Promised Land*—but still falls shy of going fully mainstream. According to a recent poll by the Yale and George Mason projects on climate change communication, less than half of Americans even have an opinion on the issue. But already, the more people know about it, the more they fall into either the "strongly support" or "strongly oppose" camp on the issue. Indeed, if we turn back to Kahan's research, we find that fracking shows a smart idiot effect that looks comparable to the one seen on global warming. Here's one figure from Kahan's data, showing the relationship between one's score on a general test of scientific literacy, one's left-right political values, and one's views on how dangerous global warming is. Note that Kahan refers to those on the left as "egalitarian-communitarians" and those on the right as "hierarchical-individualists," but there is high overlap between these groups and good old "liberals" and "conservatives," respectively:

### **ASSOCIATED PRESS**

Environmental Protection Agency scraps plan for scientific study of Wyo. fracking Water pollution review given over to state officials. CHEYENNE, Wyo. -- The U.S. Environmental Protection Agency announced Thursday that it is dropping its longstanding plan to have independent scientists review its finding that hydraulic fracturing may be linked to groundwater pollution in central Wyoming. The EPA is standing by its findings, but state officials will lead further investigation into the pollution in the Pavillion area. The area has been a focus of the debate over whether fracking can pollute groundwater ever since the EPA's initial report came out in late 2011. "We stand behind our work and the data, but EPA recognizes the state's commitment to further investigation," agency spokesman Tom Reynolds said in Washington, D.C. The EPA will let state officials carry on the investigation with the federal agency's support, he said. Wyoming officials have been skeptical about the theory that fracking played a role in the

pollution at Pavillion, but Mr. Reynolds expressed confidence that the state could lead the work from here. He described the shift as the best way to ensure that Pavillion-area residents have a clean source of drinking water. Even so, industry officials who have been doubtful about the EPA findings all along praised the change as confirmation of their view that the science wasn't sound. "EPA has to do a better job, because another fatally flawed water study could have a big impact on how the nation develops its massive energy resources," Erik Milito, director of upstream and industry operations for the American Petroleum Institute, said in a release. Richard Garrett, energy and legislative advocate with the Wyoming Outdoor Council in Lander, said he believes that Thursday's announcement shows that the EPA is finding it more difficult than initially expected to come to grips with fracking's full environmental effect. He noted that the EPA is pushing back other work aimed at gauging how energy production may pollute groundwater. "It's not surprising to me that they're kind of taking a secondary role in rural Pavillion," he said. "It looks to me like it might be a resource issue. That goes to the federal budget, I suppose, and EPA administration."

House rejects farm bill; 62 Republicans vote no WASHINGTON The House rejected a five-year, half-trillion-dollar farm bill Thursday that would have cut \$2 billion annually from food stamps and let states impose broad work requirements on those who receive them. Those cuts weren't deep enough for many Republicans who objected to the cost of the nearly \$80 billion-a-year food stamp program, which has doubled in the past five years. The vote was 234-195, with 62 Republicans voting against it. The bill also suffered from lack of Democratic support necessary for the traditionally bipartisan farm bill to pass. Only 24 Democrats voted in favor of the legislation after many said the food stamp cuts could remove as many as 2 million needy recipients from the rolls. The addition of the optional state work requirements by Republican amendment just before final passage turned away many remaining Democratic votes. Majority Leader Eric Cantor, R-7th, and No. 2 Democrat Steny Hoyer of Maryland, both of whom voted for the bill, immediately took to the House floor and blamed the other's party for the defeat. Cantor said it was a "disappointing day" and that Democrats had been a "disappointing player." Hoyer suggested that Republicans voted for the food stamp work requirements to tank the bill. "What happened today is you turned a bipartisan bill, necessary for our farmers, necessary for our consumers, necessary for the people of America, that many of us would have supported, and you turned it into a partisan bill," he said. The Senate overwhelmingly passed its version of the farm bill last week, with about \$2.4 billion a year in overall cuts and a \$400 million annual decrease in food stamps — one-fifth of the House bill's food stamp cuts. The White House supported the Senate version but had issued a veto threat of the House bill.

Editorial: Gagriculture About the only good thing to come out of the quinquennial farm bill is the spate of items exposing just how awful U.S. farm policy is. For instance, recent coverage has reminded the public that. . . "Millions of dollars in farm subsidies . . . aimed at water conservation have led to more water use, not less," according to The New York Times. Why? Because "farmers who received payments under the conservation subsidy were using some of their water savings to expand irrigation." Oops.

### **NEW YORK TIMES**

Obama Readying Emissions Limits on Power Plants WASHINGTON — President Obama is preparing regulations limiting carbon dioxide emissions from existing power plants, senior

officials said Wednesday. The move would be the most consequential climate policy step he could take and one likely to provoke legal challenges from Republicans and some industries. Electric power plants are the largest single source of global warming pollution in the country, responsible for nearly 40 percent of greenhouse gas emissions. With sweeping climate legislation effectively dead in Congress, the decision on existing power plants — which a 2007 Supreme Court decision gave to the executive branch — has been among the most closely watched of Mr. Obama's second term. The administration has already begun steps to restrict climate-altering emissions from any newly built power plants, but imposing carbon standards on the existing utility fleet would be vastly more costly and contentious. The president is preparing to move soon because rules as complex as those applying to power plants can take years to complete. Experts say that if Mr. Obama hopes to have a new set of greenhouse gas standards for utilities in place before he leaves office he needs to begin before the end of this year. Heather Zichal, the White House coordinator for energy and climate change, said Wednesday that the president would announce climate policy initiatives in coming weeks. Another official said a presidential address outlining the new policy, which will also include new initiatives on renewable power and energy efficiency, could come as early as next week. Ms. Zichal said none of the initiatives being considered by the administration required legislative action or new financing from Congress. In a speech in Berlin on Wednesday, Mr. Obama echoed his assertive talk on climate policy since his re-election, talk that some climate advocates have criticized as going beyond his actions. He said the United States and the world had a moral imperative to take "bold action" to slow the warming of the planet.